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Docket No.: 1086

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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September 29, 2004  
(date)

*Lori G. Witkin*  
Lori G. Witkin

In re: Application of : Joel KAHN, et al.

Serial No. : 09/941,139 Group Art Unit: 2876

Filed : August 28, 2001 Examiner: K. Koyama

For : METHOD AND SYSTEM FOR ACQUIRING  
BAR CODE ENCODED INFORMATION

New York, New York  
September 29, 2004

**RESPONSE UNDER C.F.R. SECTION 1.116 --  
EXPEDITED PROCEDURE**

Box: AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated July 28, 2004, reconsideration of the obviousness rejection over U.S. Patent No. 6,327,570 to Stevens in view of Japanese Patent No. 6-52343 to Asai is respectfully requested.

No reference teaches or suggests the “forward-and-relay” feature recited in the claims. More specifically, applicants’ first reader produces first symbol data which is “forwarded” to applicants’ second reader. Thereupon, applicants’ second reader “relays the first symbol data” to the host computer.

In other words, the data produced by the first reader is not sent directly to the host computer, but instead, is sent indirectly to the host computer via the second reader. The second reader thus acts as a “middleman”.

Applicants acknowledge that the personal agent 11 of Stevens communicates with a host computer or with the professional unit 9, 101. Applicants further acknowledge that the professional unit 9, 101 communicates with the host computer or with the personal agent 11. However, this does not mean that the professional unit will relay the data read by the personal agent.

Contrary to the Examiner’s determination, Asai fails to disclose a reader which acts as an intermediary for another reader. At best, Asai teaches that first reader A sends first symbol data to second reader B. Reader B reads the “same” symbol and generates second symbol data. If the first and second symbol data match, then the second symbol data is sent to a host.

To repeat, the first symbol data of Asai is not sent to the host. The first symbol data is merely used as a reference against which the second symbol data is compared. The first and second symbols are the “same”, not different as also claimed by applicants.

Applicants’ invention has particular utility when the first portable reader is out of range with the host computer and thus cannot directly transfer data thereto. In such an event, the first reader will communicate with the second reader that is within range and, then, the second reader

will complete the task of transmitting the data to the host. This feature is not shown in, or suggested by, the prior art.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

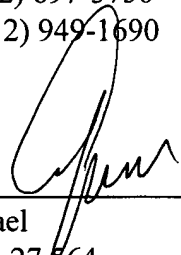
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A handwritten signature in black ink, appearing to read 'Alan Israel', is written over a horizontal line.

Alan Israel

Reg. No. 27,564